IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 17TH DECEMBER 2007 / 26TH AGRAHAYANA 1929

WP(C).No. 35654 of 2007(T)

PETITIONER:

M.ABDYL GAFOOR, S/O ABOOBACKER,
MAMUNNY MUSLIARAKATH HOUSE,
TANOOR, TIRUR, MALAPPURAM DISTRICT.

BY ADV. SRI.SAJU J.VALLYARA

RESPONDENTS:
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1. THE KERALA STATE ROAD TRANSPORT CORPORATION, THIRUVANANTHAPURAM, REPRESENTED BY ITS MANAGING DIRECTOR.

2. THE DISTRICT TRANSPORT OFFICER, KERALA STATE ROAD TRANSPORT CORPORATION, THRISSUR DISTRICT.

BY SRI.JOHNSON P.JOHN, SC, KSRTC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) No. 35654 OF 2007 T

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Dated this the 17th December, 2007

J U D G M E N T

Petitioner seeks a direction to the respondents to permit him to conduct Stall No. III at the KSRTC Bus Station, Thrissur. The stand taken by the respondents is that though contract was awarded to the petitioner, he had accepted it only one year and that during that period he did not establish his business in the premises allotted to him. It is also stated that he had committed default and as a result thereof, the contract was terminated and re-tenders have been invited. However, Standing Counsel submits that the re-tender has not been finalised even as of now.

2. At this stage, the petitioner submits that he is willing to pay off the entire arrears and seeks a direction to the respondents to extend the period of contract by 3 year from the present one year.

3. Now that the petitioner is willing to clear off the entire arrears in one lump, if the petitioner chooses so and makes a

request for extension of the period no prejudice will be caused to the respondents by considering the same. This is all the more so since the re-tender has not been finalised.

4. Accordingly, I dispose of this writ petition itself, and direct that within two weeks from today, the petitioner should clear off the entire arrears that is due to the respondents in which case, if he makes representation to the 2nd respondent for extending the period of contract by 3 years, the said representation will be considered and orders passed thereon without delay.

ANTONY DOMINIC
JUDGE

jan/-